

**REMARKS**

Reconsideration of the above-identified application in view of the present amendment is respectfully requested.

The applicants acknowledge, with appreciation, the indication of the allowability of claims 3, 4, 5/4, 6/3, 6/4, 7/3, 7/4, 8/3, 8/4, and 10-16.

By the present amendment the limitations of claim 2 are added into claim 1, and the limitations of claim 10 are added into claim 9.

In view of the fact that claim 10 has already been indicated as being allowable, claim 9, and the dependent claims (claims 11-14) need not be discussed further herein. Also, in view of the fact that claim 2 was indicated as being allowable over GB 2279763, this reference need not be discussed further herein.

Turning to the Nunoshita patent (U.S. Patent No. 4,092,060) and the King patent (U.S. Patent No. 4,063,268), it is respectfully submitted that these patents do not disclose or teach the invention as set forth in the present claims.

Claim 1 recites, in pertinent part, that the substrate region is located in predefined fashion in a specific relationship to a reference on the base unit, which references define by two plane reference surfaces on the base unit.

Turning back to the Nunoshita patent, it is to be noted that the base unit 10 shown within the Nunoshita patent only has a single surface, rather than two surfaces. Moreover, this single surface disclosed within the Nunoshita patent is not used to arrange the substrate 12 "in a specific relationship". Nunoshita discloses that the optical wave guide 12 is sputtered onto the substrate 10. Further,

Nunoshita discloses that the optical wave guide can be produced by a photo lithographic technique. Using this technology, it is clear that the surface is sputtered onto a substrate, and has a photographic lacquer applied on it, according to a pattern and developed and then etched. For such a technique, there is no need or reference made to two plane reference surfaces used for location in a specific relationship. Accordingly, it is respectfully submitted that the Nunoshita patent does not disclose all of the limitations now set forth in claim 1.

Turning to the King patent, it is to be noted that claim 2 positively recites that the two plane reference surfaces are on the base unit. As is identified within the Office action, the base unit within the King patent is item number 10, and not item number 13. As such, there is only one reference plane surface (i.e., 11) on the base unit 10. Accordingly, similar to the Nunoshita patent, the King patent does not disclose all of the structures set forth within claim 1. Accordingly, it is respectfully submitted that claim 1 is allowable in view of the King patent.

It is respectfully submitted that all of the presently pending claims are in condition for allowance and allowance of the subject application is respectfully requested.

Appl. No. 10/083,173  
Amdt. Dated January 2, 2004  
Reply to Office action of October 8, 2003

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 34341.

Respectfully submitted,  
PEARNE & GORDON LLP

By:   
Ronald M. Kachmarik, Reg. No. 34512

1801 East 9<sup>th</sup> Street  
Suite 1200  
Cleveland, Ohio 44114-3108  
(216) 579-1700

Date: January 2, 2004